

PROCEEDINGS OF THE COMMON COUNCIL
IN REGULAR SESSION
TUESDAY, SEPTEMBER 8 1987

CITY OF FORT WAYNE, INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

THE COMMON COUNCIL OF THE CITY OF FORT WAYNE MET IN THE
COUNCIL CHAMBERS Tuesday EVENING September 8 A.D., 19 87,
IN Regular SESSION. PRESIDENT Mark E. GiaQuinta
IN THE CHAIR, COUNCIL ATTORNEY Stanley A. Levine, AND
Sandra E. Kennedy CLERK, AT THE DESK, PRESENT THE FOLLOWING
MEMBERS VIZ:

BRADBURY P , BURNS P , EISBART P ,
GIAQUINTA P , HENRY P , REDD P ,
SCHMIDT P , STIER P , TALARICO P

ABSENT: _____

COUNCILMAN: _____, _____, _____

THE INVOCATION WAS GIVEN BY _____

THE MINUTES OF THE LAST REGULAR August 25 , 1987 ,

_____, 19____,

SPECIAL August 31, 19 87

SESSION HAVING BEEN DELIVERED TO THE COUNCIL, WERE, ON MOTION, APPROVED
AND PUBLISHED.

THE COUNCIL THEN ADJOURNED.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday the 8th day of September, 19⁸⁷, that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances, and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this _____ day of _____, 19____,

SANDRA E. KENNEDY, CITY CLERK

COMMUNICATIONS FROM THE MAYOR

August 13, 1987

To the Common Council
Gentlemen and Mrs. Bradbury:

Today, August 13, 1987, I have approved the following ordinances and resolutions passed by the Common Council at this meeting of August 11, 1987

(Bill No. A-87-07-02)
APPROPRIATION ORDINANCE NO. A-01-87

AN ORDINANCE appropriating monies from the unappropriated and unobligated balance in the Cable TV Fund to an account in the 1987 budget of the Cable TV Fund to provide further public use of the local Cable TV System

(Bill No. S-87-07-34)
SPECIAL ORDINANCE NO. S-208-87

AN ORDINANCE approving Civil City Purchase Orders #00822 and #00823, with Microage and Computer Corner, respectively for the Department of Parks and Recreation of the City of Fort Wayne, Indiana

(Bill NO. S-87-07-35)
(as amended)
SPECIAL ORDINANCE NO. S209-87

AN ORDINANCE approving the awarding of Reference #1297, by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and Momper Insulation, for the Department of Housing and Neighborhood Development Services

(Bill No. R-87-07-33)
DECLARATORY RESOLUTION NO. R-52-87

A DECLARATORY RESOLUTION confirming the designation of an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as Lot 32 Centennial Park, Section V, Fort Wayne, Indiana (Independence Realty {An Indiana Partnership} and R.U.S.H. Solution Service, Inc., D/B/A RUSH, Inc., Petitioner)

(Bill No. Z-86-02-21)
(as amended)

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. F-2

(Bill No. S-87-07-36)
SPECIAL ORDINANCE NO. S-210-87

AN ORDINANCE approving Change Order No. 1 Res. 6019-85, Beacon St. (Lake to State), with Dailey ASphalt Construction Company, in connection with the Board of Public Works and Safety of the City of Fort Wayne, Indiana

(Bill No. S-87-07-37)
SPECIAL ORDINANCE NO. S-211-87

AN ORDINANCE approving the awarding of Reference #3212, #3213 and #3214, by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and Fairbanks Morse Pump Corporation and Beckman Environmental Services Company, Inc., for Water Pollution Control Engineering

(Bill No. S-87-07-38)
SPECIAL ORDINANCE NO. S-212-87

AN ORDINANCE approving City Utilities Purchase Order #09140, by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and Omni Micro Business Center for the Water Pollution Control Plant

(Bill No. S-87-07-39)
SPECIAL ORDINANCE NO. S-213-87

AN ORDINANCE approving City Utilities Purchase Order #09126, by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and Hewlett Packard, for the Water Pollution Control Plant

(Bill No. S-87-07-40)
SPECIAL ORDINANCE NO. S-214-87

AN ORDINANCE approving City Utilities Purchase Order #09125, by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and Chemineer, Inc., for the Three Rivers Filtration Plant

(Bill No. S-87-07-41)
SPECIAL ORDINANCE NO. S-215-87

AN ORDINANCE approving City Utilities Purchase Order #09127, by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and Alpha Omega Electric, for the Water Pollution Control Plant

(Bill No. S-87-07-42)
SPECIAL ORDINANCE NO. S-216-87

AN ORDINANCE approving City Utilities Purchase Order #09194, by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and BOS Sand Company, for the Three Rivers Filtration Plant

(Bill No. S-87-07-43)
SPECIAL ORDINANCE NO. S-217-87

AN ORDINANCE approving Change Order No. 1 and Final - E. Cook Road Sanitary Sewer Extension, Res. 903-86, with Land, Inc., in connection with the Board of Public Works and Safety of the City of Fort Wayne, Indiana

(Bill No. S-87-07-44)
SPECIAL ORDINANCE NO. S-218-87

AN ORDINANCE approving Change Order No. 1 (Final) for Res. 1036-86, Ludwig Park Drive, with Earth Construction, Inc., in connection with the Board of Public Works and Safety of the City of Fort Wayne, Indiana

(Bill No. S-87-07-45)
SPECIAL ORDINANCE NO. S-219-87

AN ORDINANCE approving Change Order No. 1 (Final) for Lawrence Drain Improvement Res. 425-86, Phase I, with John Dehner, Inc., in connection with the Board of Public Works and Safety of the City of Fort Wayne, Indiana

(Bill No. S-87-07-46)
SPECIAL ORDINANCE NO. S-220-87

AN ORDINANCE approving Change Order No. 1 (Final) for Res. 421-86, Oswego Avenue Sanitary Sewer, with Bercot, Inc., in connection with the Board of Public Works and Safety of the City of Fort Wayne, Indiana

(Bill No. S-87-07-48)
SPECIAL ORDINANCE NO. S-222-87

AN ORDINANCE approving Change Order No. 1 - Hanna-Madison '86 Bond Issue - Res. 6059-86, with Hipkind Concrete Company, in connection with the Board of Public Works and Safety of the City of Fort Wayne, Indiana

(Bill No. S-87-07-47)
SPECIAL ORDINANCE NO. S-221-87

AN ORDINANCE approving Change Order No. 2 (Final) for Resolution 403-84 - Lathrop Street Storm Sewer, with Dailey Asphalt Company, in connection with the Board of Public Works and Safety of the City of Fort Wayne, Indiana

(Bill No. X-87-05-44)
ANNEXATION ORDINANCE NO. X-04-87

AN ORDINANCE annexing certain territory commonly known as Tillman Park Annexation Area to Fort Wayne and including the same in Councilmanic District No. 5

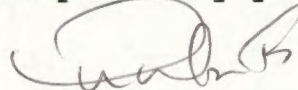
(Bill No. S-87-05-45)
RESOLUTION NO. R-53-87

A RESOLUTION of the Common Council setting forth the policy of the City in regard to the Tillman Park Annexation

(Bill No. S-87-07-31)
(as amended - as amended - as amended)
SPECIAL ORDINANCE NO. S-223-87

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA AMENDING CHAPTER 34 OF THE MUNICIPAL CODE ENTITLED "SIGNS"

Respectfully yours,



Win Moses, Jr.
Mayor



The City of Fort Wayne

LAND USE MANAGEMENT
Division of Community Development & Planning

30 July 1987

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one
(1) ordinance concerning the vacation of a portion of Ralph Street.

The proposed ordinance is designated as:

BILL NO. G-87-06-38

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
30th day of July 1987.

Robert Hutner
Secretary

Division of Community Development & Planning

BILL NUMBER

BRIEF TITLE

APPROVAL DEADLINE

REASON

Street Vacation Ordinance

DETAILS

Specific Location and/or Address

Portion of Ralph Street

Reason for Project

Additional driveway is needed by petitioner for easier ingress/egrees to property.

Discussion (Including relationship to other Council actions)

20 July 1987 - Public Hearing

Timothy Morris, petitioner and adjacent property owner stated that when his home was built the contractor built it 6 feet closer than he had wanted, making it impossible to back his car out of his driveway and into the street. He stated that this property is at the end of a dead end street, on the south side is a park and on the north side is a wooded area. He stated that his is the only house on the street.

Lavon Reader, 2717 Cambridge Avenue, with Lincoln Park Association stated that she wasn't in opposition, but was concerned about the access to the park on the north side of Ralph Street from Poinsette.

It was pointed out by staff that the Park Department had approved the vacation but that the Park Department was investigating the need for the possibility of an easement to insure park access from Poinsette.

POSITIONS

RECOMMENDATIONS

Sponsor

City Plan Commission

Area Affected

City Wide

Other Areas

Applicants/ Proponents

Applicant(s)

Timothy & Deborah Morris

City Department

Other

Opponents

Groups or Individuals

Basis of Opposition

Staff Recommendation

☐ For ☒ Against

Reason Against

Board or Commission Recommendation

By

☐ For ☒ Against

☐ No Action Taken

☐ For with revisions to condition
(See Details column for condition)

CITY COUNCIL ACTIONS (For Council use only)

☐ Pass ☐ Other

☐ Pass (as amended) ☐ Hold

☐ Council Sub. ☐ Do not pass

DETAILS

There was no one present who wished to speak in favor of or in opposition to the proposed vacation.

27 July 1987 - Business Meeting

Motion was made to return the ordinance to the Common Council with a DO NOT PASS recommendation.

Of the 7 members present, 6 voted in favor of the recommendation, one (1) did not vote.

Motion carried.

POLICY/ PROGRAM IMPACT

Policy or
Program
Change

☐

No

☐

Yes

Operational
Impact
Assessment

(This space for further discussion)

Project Start

Date May 6, 1987

Projected Completion or Occupancy

Date July 30, 1987

Fact Sheet Prepared by

Patricia Biancaniello

Date July 30, 1987

Reviewed by

Gary Butler

Reference or Case Number

Date

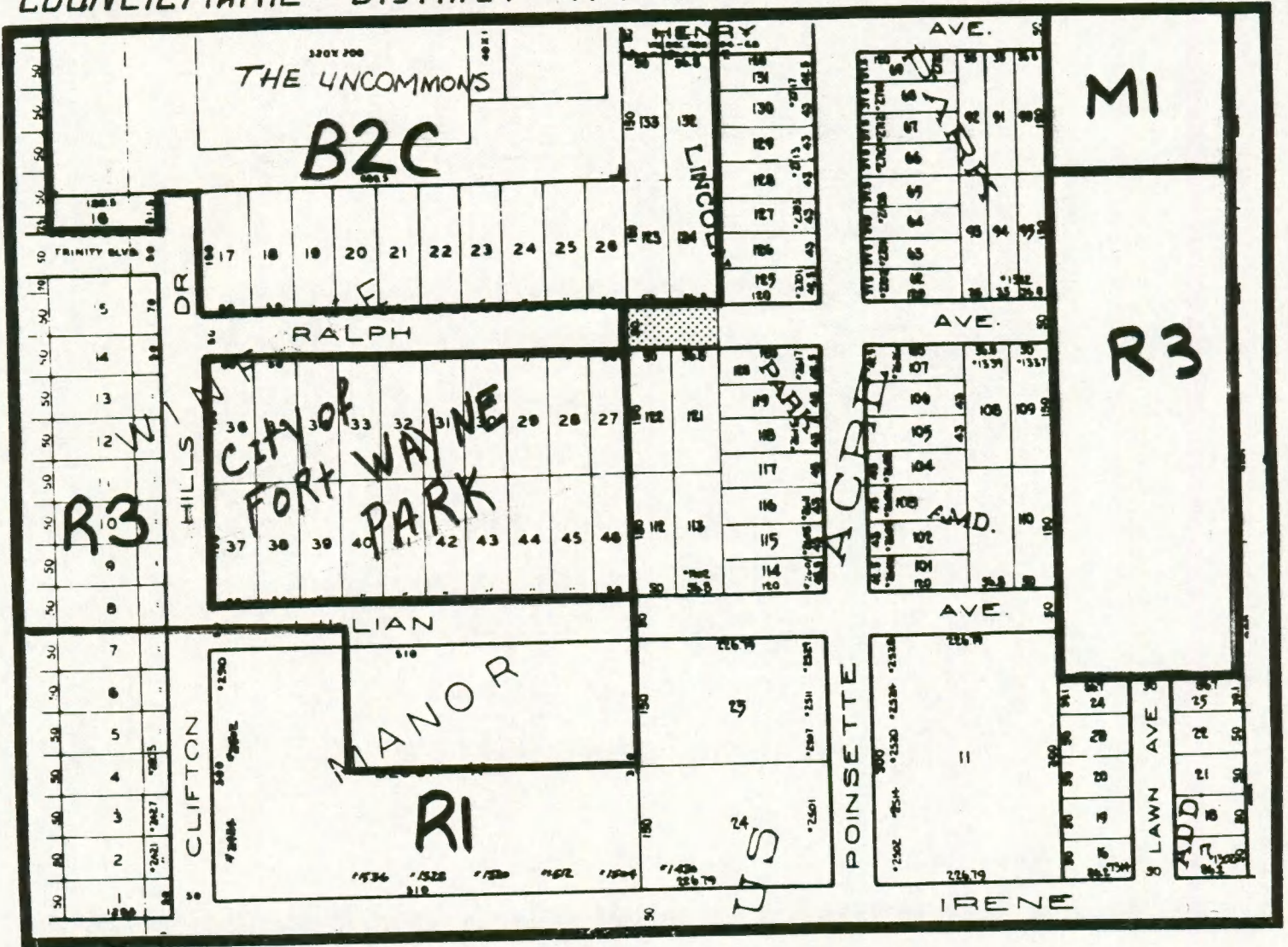
8/31/87

VACATION PETITION 278

A PETITION TO VACATE THE DESCRIBED PORTION OF PUBLIC STREET.

MAP NO. K-18

COUNCILMANIC DISTRICT NO. 3



ZONING:

LAND USE:

SCALE: 1" = 200'

DATE: 5-27-87



Vacation Petition #278

Timothy and Deborah Morris request the vacation of a portion of a public street.

Location: In the 1400 block of Ralph Street

Legal: See File

Land Area: 5340 Square Feet

Zoning: Does not apply

Reason for Request: Not stated

Neighborhood Assoc.: Lincoln Park Assn

Neighborhood Plan:

Comprehensive Plan:

Landscape:

Planning Staff Discussion:

This portion of Ralph Street is unimproved and is not currently necessary to any other property owner for ingress or egress. The area directly west is shown as a platted portion of ground.

Part of the area to the west has been given to the Park Department for a neighborhood "walk to" park, but a number of lots (on the north side) are in private ownership. If the owner of these lots would decide to develop the property residentially, his access would either have to be from Ralph Street, or from Clifton Hills Drive. Clifton Hills Drive is not improved, and would be a more costly access location.

It is generally deemed unadvisable to vacate a portion of public right-of-way in the middle of the area. The right-of-way on either side of the petitioned parcel has not been vacated according to the records in Street Engineering.

Recommendation: Do Not Pass

1) The existing right-of-way may be necessary for future development.

2) Vacation of a portion of right-of-way in the middle of existing right-of-way is not considered a good planning policy.

September 1, 1987

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of
Public Safety Regulatory Resolution Numbers:

129/87/E

130/87/E

131/87/E

For the purpose of enforcement, please make this communication
and the attached Regulatory Resolutions a matter of record and
incorporate them into the minutes of the next Common Council
Meeting.

Respectfully Submitted,

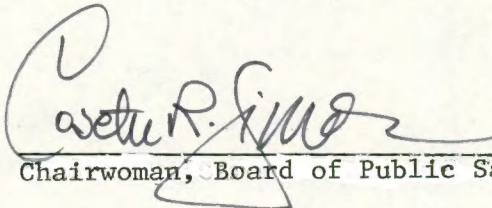
A handwritten signature in dark ink, appearing to read "Cosette R. Simon", with a long horizontal flourish extending to the right.

Cosette R. Simon, Chairwoman
Board of Public Safety

R E T U R N C E R T I F I C A T E

(Regulatory Resolution No. 129/87/E
130/87/E
131 / 87/D)

I hereby certify that I did this 1st day of
September, 1987 deliver to each, the City Traffic
Engineer, the Chief of Police, the City Attorney, the City
Clerk and the President of the Common Council of the City
of Fort Wayne, Indiana respectively, a copy of the within
Regulatory Resolution No. 129/87/E
130/87/E of the Board of Public
131/87/D
Safety of the City of Fort Wayne, duly certified by me as
Chairman of said Board, in accordance with the provisions
of Section 17-4 of Chapter 17, of the Code of the City of
Fort Wayne, Indiana 1986.


Chairwoman, Board of Public Safety

REGULATORY RESOLUTION NO. 129/87 /E

(Adopted September 1, 19 87)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to IMPAIRED MOBILITY PARKING (COMMERCIAL) (EMERGENCY)

_____ : AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated August 31, 19 87, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

September 1, 19 87, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

IMPAIRED MOBILITY PARKING (COMMERCIAL) (EMERGENCY)

Christine Eloff, 5209 Decatur Road - 182' South of Fairfax Drive
and 50' east of Decatur Rd.

REGULATORY RESOLUTION NO. 130/87/E

(Adopted September 1, 19 87)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to IMPAIRED MOBILITY PARKING (RESIDENTIAL) (EMERGENCY)

_____: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated August 31, 19 87, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

September 1, 19 87, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

IMPAIRED MOBILITY PARKING (RESIDENTIAL) (EMERGENCY)

3000 John Street -- west side -- from 30' north of Colerick Street to 20' south thereof

REGULATORY RESOLUTION NO. 131/87/D

(Adopted September 1, 1987)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 17-31 of said chapter delegates to this Board authority to PLAY STREET (DELEGATED)

_____; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated August 28, 1987, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 17-31 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective September 1, 1987, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

PLAY STREET (DELEGATED)

- Liberty Drive -- from Lower Huntington Road to Waynewood Drive
- Pasadena Drive -- from Arlington Avenue to Fairfield Avenue
- The east/west alley -- Between Broadway and VanBuren Street and between Washington Blvd. and Jefferson Blvd.